PATENT COOPERATION TREATY

From the INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

BINAL J. PATEL BANNER AND WITCOFF, LTD. TEN S. WACKER DRIVE SUITE 3000 CHICAGO, IL 60606-7407

011738,00169 IPER

PCT DOCKETED HE NOTIFICATION OF TRANSMITTAL OF

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing (day/month/year)

Applicant's or agent's file reference

IMPORTANT NOTIFICATION

011738.00189 International filing date (day/month/year) Priority date (day/month/year) International application No. 15 October 2002 (15.10.2002) PCT/US03/32941 15 October 2003 (15.10.2003) Applicant

MEDTRONIC INC.

- 1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
- 2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices
- 3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4 REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

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BANNER & WITCOFF

Name and mailing address of the IPEA/US

Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450

Alexandria, Virginia 22313-1450 Facsimile No. (703)305-3230

Form PCT/IPEA/416 (July 1992)

Authorized officer

Mary Beth Jones J. Hules

Telephone No. (703) 306-5648

PATENT COOPERATION TREATY

From the INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: BINAL J. PATEL BANNER AND WITCOFF, LTD. TEN S. WACKER DRIVE

SUITE 3000 CHICAGO, IL 60606-7407

PCT

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 011738.00189	FOR FURTHER ACTION	TION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/41			
International application No.	International filing date (day/mo	onth/year) Priority date (day/month/year)			
PCT/US03/32941 International Patent Classification (IPC)	15 October 2003 (15.10.2003)	15 October 2002 (15.10.2002)			
International Patent Classification (IPC)	or national classification and irc				
IPC(7): A61B 5/00 and US Cl.: 600/300 Applicant					
**					
MEDTRONIC INC.					
 This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. 					
This REPORT consists of	2. This REPORT consists of a total of $\underline{4}$ sheets, including this cover sheet.				
This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).					
These annexes consist of a	total of sheets.				
3. This report contains indica	ations relating to the following	; items:			
I Basis of the rep	ort				
II Priority					
III Non-establishme	III Non-establishment of report with regard to novelty, inventive step and industrial applicability				
IV Lack of unity of	IV Lack of unity of invention				
V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
VIII Certain observations on the international application					
Date of submission of the demand	Date	e of completion of this report			
13 May 2004 (13.05.2004)		15 July 2004 (15.07.2004)			
Name and mailing address of the IPEA/US		Authorized officer 1 1/ 1			
Mail Stop PCT, Attn: IPEA/US Commissioner for Patents	Mai	Mary Beth Jones Authorized officer Authorized for Mary Beth Jones			
P.O. Box 1450 Alexandria, Virginia 22313-1450	Tele	Telephone No. (703) 306-5648			
Facsimile No. (703)305-3230					

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.	
PCT/US03/32941	

I.	Basi	s of the report
1.	With	regard to the elements of the international application:*
	\boxtimes	the international application as originally filed.
	\square	the description:
	<u></u>	pages 1-67 as originally filed
		pages NONE, filed with the demand
		pages NONE, filed with the letter of
	X	the claims:
		pages 68-76 , as originally filed
		pages NONE , as amended (together with any statement) under Article 19
		pages NONE , filed with the demand
		pages NONE, filed with the letter of
	\bowtie	the drawings:
		pages 1-33 , as originally filed
		pages NONE, filed with the demand
	_	pages NONE , filed with the letter of
		the sequence listing part of the description:
		pages NONE, as originally filed
		pages NONE, filed with the demand
		pages NONE, filed with the letter of
2.	lang	h regard to the language, all the elements marked above were available or furnished to this Authority in the uage in which the international application was filed, unless otherwise indicated under this item: se elements were available or furnished to this Authority in the following language which is:
	Inc	•
	\sqsubseteq	the language of a translation furnished for the purposes of international search (under Rule23.1(b)).
	Ш	the language of publication of the international application (under Rule 48.3(b)).
		the language of the translation furnished for the purposes of international preliminary examination(under Rules 55.2 and/or 55.3).
3.		h regard to any nucleotide and/or amino acid sequence disclosed in the international application, the mational preliminary examination was carried out on the basis of the sequence listing:
		* -
	H	contained in the international application in printed form.
	\vdash	filed together with the international application in computer readable form.
	\sqcup	furnished subsequently to this Authority in written form.
		furnished subsequently to this Authority in computer readable form.
		The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the
	_	international application as filed has been furnished.
	Ш	The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4	\square	The amendments have resulted in the cancellation of:
٠.		The uncollections have resulted in the control of
		the description, pages NONE
		the claims, Nos. NONE
		the drawings, sheets/fig NONE
5.		This report has been established as if (some of) the amendments had not been made, since they have been considered to go
•		beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**
*	Repla	cement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in
		ort as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).
**	Any 1	replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US03/32941

v.	Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims 1-53 Claims NONE	YES NO
Inventive Step (IS)	Claims 1-53 Claims NONE	YESNO
Industrial Applicability (IA)	Claims <u>1-53</u> Claims <u>NONE</u>	YES NO

2. CITATIONS AND EXPLANATIONS

Claims 1-53 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest a method for synchronizing a plurality of clocks wherein at least one of the clocks is associated with a medical device system, comprising receiving a selected time associated with the second clock, the selected time different than a reference time associated with the first clock, wherein at least the first or second clock is associated with the medical device.

Claims 1-53 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

8 *						
			1	International an	application No	
INTERNATIONAL PRELIMINARY EXAMINATION REPORT		ORT	International application No. PCT/US03/32941			
VI. Certain documents cit	ed					
Certain published docume	ents (Rule 70.10)					
Application No Patent No. US 6,540,674 B2		ion Date nth/year) (01.04.2003)	(day/i 29 Dec	ling Date month/year) cember 2000	Priority date (valid claim) (<u>(day/month/year)</u> None	
	•		(29.	.12.2000)	j	
Non-written disclosures	(Rule 70.9)			Dec	te of written disclosure referring to	
Kind of non-written dis	closure	Date of non-writ (day/mont			non-written disclosure (day/month/year)	
		•				